

VZCZCXRO6586  
OO RUEHBC RUEHDBU RUEHDE RUEHKUK RUEHLH RUEHMOS RUEHPW  
DE RUEHNE #2875/01 1171202  
ZNY CCCCC ZZH  
O 271202Z APR 06  
FM AMEMBASSY NEW DELHI  
TO RUEHC/SECSTATE WASHDC IMMEDIATE 3066  
RUEPINS/HQ BICE INTEL WASHINGTON DC IMMEDIATE  
RUEAHLH/HOMELAND SECURITY CENTER WASHINGTON DC IMMEDIATE  
RUCNFB/FBI WASHINGTON DC IMMEDIATE  
RUEAIIA/CIA WASHDC IMMEDIATE  
RUEPINS/HQ BICE WASHINGTON DC IMMEDIATE  
INFO RUCNISL/ISLAMIC COLLECTIVE  
RUEHIL/AMEMBASSY ISLAMABAD 7925  
RUEHLO/AMEMBASSY LONDON 9567  
RUEHCI/AMCONSUL CALCUTTA 3419  
RUEHCG/AMCONSUL CHENNAI 3308  
RUEHKP/AMCONSUL KARACHI 3560  
RUEHLH/AMCONSUL LAHORE 2479  
RUEHBI/AMCONSUL MUMBAI 2581  
RUEHPW/AMCONSUL PESHAWAR 3135  
RUEAWJL/DHS/CIS WASHDC  
RHEHNSC/NSC WASHDC  
RUEAHLH/HOMELAND SECURITY CENTER WASHINGTON DC  
RUEAHLH/HQ ICE IAO WASHINGTO DC  
RUEAORC/US CUSTOMS AND BORDER PROTECTION WASHINGTON DC

C O N F I D E N T I A L SECTION 01 OF 02 NEW DELHI 002875

SIPDIS

SIPDIS

DEPT FOR CA/VO/L/C, CA/VO, SCA/INS  
HQ BICE ATTN OIE 428 PROGRAM

E.O. 12958: DECL: 04/11/2016  
TAGS: [CVIS](#) [PREL](#) [PTER](#) [PGOV](#) [KDEM](#) [PHUM](#) [IN](#) [PK](#)  
SUBJECT: YASIN MALIK VISA

REF: A. NEW DELHI 4689  
[1](#)B. NEW DELHI 6691  
[1](#)C. NEW DELHI 6787  
[1](#)D. NEW DELHI 6806  
[1](#)E. ISLAMABAD 5767  
[1](#)F. NEW DELHI 2821

NEW DELHI 00002875 001.2 OF 002

Classified By: Charge Robert Blake, Jr. for Reasons 1.4 (B, D)

[1](#)1. (SBU) Action Request: Post recommends that Department request DHS to approve a 212(d)(3)(A) waiver of nonimmigrant visa ineligibilities as appropriate for Yasin MALIK (DOB: 3 April 1965), President of the Jammu and Kashmir Liberation Front (JKLF), to seek medical treatment in Bethesda, MD. We have submitted Malik's application details through VISAS DONKEY cable NEW DELHI 2821. The Department issued a 212(d)(3)(A) waiver to Malik who was ineligible under 212(a)(3)(b) for a similar trip on October 25, 2005 and Malik visited the US from November 27, 2005 to January 5, 2006. NOTE: Given the political sensitivities surrounding Malik's case, we request that, once Washington agencies make a decision on Malik's case, they INFORM US FIRST and authorize us to brief the GOI before/before the decision is communicated to Malik or the public. End Action Request.

Our Policy Analysis  
-----

[1](#)2. (C) As the president of the oldest and most prominent Kashmiri separatist organization, Malik has played a large role in the peace process in Kashmir and between India and Pakistan. Malik also influences the peace process between PM Singh and moderate Kashmiri separatists. The GOI considers him important enough to the Delhi-Srinagar peace process that it allowed him to travel to Pakistan in October 2005 and

March 2006 as part of the moderate separatists delegations who met with GOP and Pakistani Kashmir officials (Ref A and D). During his last trip, Malik talked sense to the violent Kashmir insurgents residing in Pakistan, urging them to give peace a chance. Malik's participation in the New Delhi-Srinagar dialogue contributes to progress in the ongoing New Delhi-Islamabad peace process (Ref C).

#### Our Recommendation

-----

¶3. (C) We should do whatever we can to advance peace between the two most important powers in South Asia -- also two of our critical partners in the war on terrorism and extremism. Malik's non-violent views resonate in Kashmir, as evinced by the 1.5 million signatures he says he has collected on a petition calling for an independent Kashmir through non-violent means. His transformation from a terrorist to a political activist is a useful example of a committed opponent channeling his ideology into more acceptable tactics. Although Malik was no saint in the past, we should again permit him to travel to the DC area.

#### Why Malik is going to the US

-----

¶4. (SBU) Malik has been to the US twice for treatment on a ear problem. On this visit, he will undergo a tympanomastoidectomy, needed to fix a hearing problem in his right ear, which was recommended during the 2005 visit. The surgery will be conducted by the same health provider who treated him in 2001 and 2005 (Dr. Sanjay Prasad, Camalier Building, 10215 Fernwood Rd, Suite 301, Bethesda, MD 20817). Malik will also likely meet with US-based Kashmiri activists and Department of State officials while in the DC area, as he

NEW DELHI 00002875 002.2 OF 002

did on his last trip.

#### HMG, GOI Reaction Positive

-----

¶5. (C) The UK government issued Malik a 6 month, multi-entry visa on August 31, 2005 for his last visit to the United States via the UK. The GOI did not/not block him from traveling to the US in 2005.

#### Background

-----

¶6. (C) Malik is a former terrorist who committed acts of violence under the banner of Kashmir liberation, but since his release from prison in 1994 has renounced violence. His faction of the JKLF also renounced violence in 1995, preferring to pursue peaceful methods to achieve an independent Kashmir. He was jailed in India from 1990 to 1994, and suffers health problems as a result.

¶7. (SBU) Malik is the subject of 3 "00" Department hits in the Consular Lookout and Support System, and one "3B" hit for his previous violent activities. He has a prior visa issued in 2001 and 2005.

¶8. (U) Post POCs are POL Greg Drazek or CONS Bill Bartlett.

¶9. (U) Malik's classified bio is available by doing a Google search for "Malik" on New Delhi's SIPRNET secure website: (<http://www.state.sgov.gov/p/sa/newdelhi/>)  
BLAKE